



Daily Digest

Federal Communications Commission
445 12th St., SW
Washington, D.C. 20554

News media information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 202/418-2555

Vol. 23 No. 65

April 5, 2004

THE FOLLOWING ITEMS ARE DATED AND RELEASED TODAY:

NEWS RELEASES

COMMISSIONER ABERNATHY APPLAUDS SBC COMMUNICATIONS AND SAGE TELECOM FOR REACHING A COMMERCIAL AGREEMENT GOVERNING ACCESS TO UNBUNDLED NETWORK ELEMENTS. STMT CMMR. Contact Matthew Brill at (202) 418-2400 [DOC-245796A1.doc](#) [DOC-245796A1.pdf](#) [DOC-245796A1.txt](#)

FCC CHAIRMAN MICHAEL POWELL'S COMMENTS ON SBC'S COMMERCIAL AGREEMENT WITH SAGE TELECOM CONCERNING ACCESS TO UNBUNDLED NETWORK ELEMENTS. STMT. News Media Contact: Richard Diamond at (202) 418-0506 OCH. Contact Michael Balmoris at (202) 418-0253 [DOC-245795A1.doc](#) [DOC-245795A1.pdf](#) [DOC-245795A1.txt](#)

PUBLIC NOTICES

Report No: 2655 Released: 04/05/2004. PETITIONS FOR RECONSIDERATION AND CLARIFICATION OF ACTION IN RULEMAKING PROCEEDING. CGB [DOC-245780A1.doc](#) [DOC-245780A1.pdf](#) [DOC-245780A1.txt](#)

Report No: SAT-00207 Released: 04/05/2004. POLICY BRANCH INFORMATION Satellite Space Applications Accepted for Filing. IB. Contact: (202) 418-0719, TTY: (202) 418-2555 [DOC-245787A1.pdf](#) [DOC-245787A1.txt](#)

Released: 04/05/2004. REQUEST FOR EXEMPTION FROM COMMISSION'S CLOSED CAPTIONING RULES. (DA No. 04-929) CSR 6294. MB. Contact: Sonia Greenaway-Mickle or Steve Garner at (202) 418-7200. [DA-04-929A1.doc](#) [DA-04-929A1.pdf](#) [DA-04-929A1.txt](#)

Released: 04/05/2004. REQUEST FOR EXEMPTION FROM COMMISSION'S CLOSED CAPTIONING RULES. (DA No. 04-930) CSR 6293. MB. Contact: Sonia Greenaway-Mickle or Steve Garner at (202) 418-7200. [DA-04-930A1.doc](#) [DA-04-930A1.pdf](#) [DA-04-930A1.txt](#)

Report No: 45707 Released: 04/05/2004. BROADCAST ACTIONS. MB [DOC-245717A1.txt](#) [DOC-245717A1.pdf](#)

Report No: 25707 Released: 04/05/2004. BROADCAST APPLICATIONS. MB [DOC-245715A1.txt](#) [DOC-245715A1.pdf](#)

Released: 04/05/2004. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILING IN PERMIT-BUT-DISCLOSURE PROCEEDINGS (1 OF 2). OMD. Contact: Helen Abraham @ (202) 418-0310 [DOC-245760A1.pdf](#) [DOC-245760A1.txt](#)

Released: 04/05/2004. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILING IN PERMIT-BUT-DISCLOSURE PROCEEDINGS (2 OF 2). OMD. Contact: Helen Abraham @ (202) 418-0310 [DOC-245762A1.pdf](#) [DOC-245762A1.txt](#)

Released: 04/05/2004. NOTICE OF STREAMLINED DOMESTIC SECTION 214 APPLICATION GRANTED. (DA No. 04-955). (Dkt No 04-45). WCB. Contact: Dennis Johnson at (202) 418-1394 or Julie Veach at (202) 418-1558 [DA-04-955A1.doc](#) [DA-04-955A1.pdf](#) [DA-04-955A1.txt](#)

Released: 04/05/2004. WIRELESS TELECOMMUNICATIONS BUREAU REPORTS ON ACCOMPLISHMENTS IN REDUCING BACKLOGS IN THE MULTIPOINT DISTRIBUTION SERVICE AND THE INSTRUCTIONAL TELEVISION FIXED SERVICE. (DA No. 04-946). WTB. Contact: John Schauble at (202) 418-2487 [DA-04-946A1.doc](#) [DA-04-946A1.pdf](#) [DA-04-946A1.txt](#)

TEXTS

SM RADIO, INC. Issued a monetary forfeiture in the amount of \$7,000 to SM Radio, Inc. for failure to maintain a main studio in its community of license. Action by: Chief, Enforcement Bureau. Adopted: 03/31/2004 by Forfeiture Order. (DA No. 04-923). EB [DA-04-923A1.doc](#) [DA-04-923A1.pdf](#) [DA-04-923A1.txt](#)

WESTSHORE BROADCASTING, INC. Issued a monetary forfeiture in the amount of \$12,000 to Westshore Broadcasting, Inc., for failure to light the antenna structure and to notify the FCC of a change in the antenna structure's ownership, et al. Action by: Chief, Enforcement Bureau. Adopted: 04/01/2004 by Forfeiture Order. (DA No. 04-926). EB [DA-04-926A1.doc](#) [DA-04-926A1.pdf](#) [DA-04-926A1.txt](#)

FM TABLE OF ALLOTMENTS, ENCINAL, TX. Amended FM Table of Allotments for this community. (Dkt No. 01-152). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 04/02/2004 by R&O. (DA No. 04-912). MB [DA-04-912A1.doc](#) [DA-04-912A1.pdf](#) [DA-04-912A1.txt](#)

FM TABLE OF ALLOTMENTS, SHEFFIELD, TX. Amended FM Table of Allotments for this community. (Dkt No. 02-350). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 04/02/2004 by R&O. (DA No. 04-916). MB [DA-04-916A1.doc](#) [DA-04-916A1.pdf](#) [DA-04-916A1.txt](#)

FM TABLE OF ALLOTMENTS, MANGUM AND ERICK, OK. Amended FM Table of Allotments for these communities. (Dkt No. 01-218). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 04/02/2004 by R&O. (DA No. 04-913). MB [DA-04-913A1.doc](#) [DA-04-913A1.pdf](#) [DA-04-913A1.txt](#)

FM TABLE OF ALLOTMENTS, WINNSBORO AND ANNONA, TX. Amended FM Table of Allotments for these communities. (Dkt No. 01-189). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 04/02/2004 by R&O. (DA No. 04-917). MB [DA-04-917A1.doc](#) [DA-04-917A1.pdf](#) [DA-04-917A1.txt](#)

FM TABLE OF ALLOTMENTS, TILDEN, TX. Dismissed the Petition for Rulemaking and terminated the proceeding. (Dkt No. 01-153). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 04/02/2004 by R&O. (DA No. 04-914). MB [DA-04-914A1.doc](#) [DA-04-914A1.pdf](#) [DA-04-914A1.txt](#)

LESEA BROADCASTING CORPORATION. Granted the Reconsideration Petition filed by Cox Communications Kansas, L.L.C. Action by: Deputy Chief, Media Bureau. Adopted: 03/29/2004 by Order on Reconsideration. (DA No. 04-941). MB [DA-04-941A1.doc](#) [DA-04-941A1.pdf](#) [DA-04-941A1.txt](#)

FM TABLE OF ALLOTMENTS, CLARKSVILLE, TX AND HAWORTH, OK. Amended FM Table of Allotments for these communities. (Dkt No. 01-182). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 04/02/2004 by R&O. (DA No. 04-915). MB [DA-04-915A1.doc](#) [DA-04-915A1.pdf](#) [DA-04-915A1.txt](#)

FM TABLE OF ALLOTMENTS, VARIOUS COMMUNITIES. Proposed Amendment of FM Table of Allotments for various communities. (Dkt No. 04-97 , 04-98). Action by: Assistant Chief, Audio Division, Media Bureau. Comments Due: 05/27/2004. Reply Comments Due: 06/11/2004. Adopted: 04/02/2004 by NPRM. (DA No. 04-910). MB [DA-04-910A1.doc](#) [DA-04-910A1.pdf](#) [DA-04-910A1.txt](#)

CC VIII OPERATING, LLC D/B/A CHARTER COMMUNICATIONS. Granted the Petition for a determination of effective competition in twelve Minnesota Communities. Action by: Deputy Chief, Policy Division, Media Bureau. Adopted: 03/30/2004 by MO&O. (DA No. 04-937). MB [DA-04-937A1.doc](#) [DA-04-937A1.pdf](#) [DA-04-937A1.txt](#)

CC VIII OPERATING, LLC D/B/A CHARTER COMMUNICATIONS. Granted the Petition for a determination of effective competition in the twelve Michigan Communities. Action by: Deputy Chief, Policy Division, Media Bureau. Adopted: 03/31/2004 by MO&O. (DA No. 04-938). MB [DA-04-938A1.doc](#) [DA-04-938A1.pdf](#) [DA-04-938A1.txt](#)

AMZAK CABLE MIDWEST, INC. AND MINNESOTA CABLE PROPERTIES, INC. Granted Petition for a determination of effective competition in the eleven Minnesota communities. Action by: Deputy Chief, Policy Division, Media Bureau. Adopted: 03/31/2004 by MO&O. (DA No. 04-939). MB [DA-04-939A1.doc](#) [DA-04-939A1.pdf](#) [DA-04-939A1.txt](#)

FM TABLE OF ALLOTMENTS, ASH FORK, CHINO VALLEY, DOLAN SPRINGS, FREDONIA, GILBERT, PEACH SPRINGS, SELIGMAN AND TUSAYAN, ARIZONA, MOAPA VALLEY, NEVADA, AND BEAVER AND CEDAR CITY, UTAH. Amended FM Table of Allotments with conditions for these communities. (Dkt No. 02-12). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 04/02/2004 by MO&O. (DA No. 04-911). MB [DA-04-911A1.doc](#) [DA-04-911A1.pdf](#) [DA-04-911A1.txt](#)

MCLEODUSA TELECOMMUNICATIONS SERVICES, INC. APPLICATION FOR REVIEW. Denied the Application for Review. Action by: the Commission. Adopted: 03/25/2004 by MO&O. (FCC No. 04-73). OGC [FCC-04-73A1.doc](#) [FCC-04-73A2.doc](#) [FCC-04-73A1.pdf](#) [FCC-04-73A2.pdf](#) [FCC-04-73A1.txt](#) [FCC-04-73A2.txt](#)

MICRONESIAN TELECOMMUNICATIONS CORPORATION REVISION TO TARIFF FCC NO. 1. Denied the Application for Review. Action by: the Commission. Adopted: 03/31/2004 by MO&O. (FCC No. 04-84). WCB [FCC-04-84A1.doc](#) [FCC-04-84A1.pdf](#) [FCC-04-84A1.txt](#)

CAMBRIA HEIGHTS SCHOOL DISTRICT, PATTON, PA, ET AL. Extended Requests for Review. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 04/02/2004 by ORDER. (DA No. 04-921). WCB [DA-04-921A1.doc](#) [DA-04-921A1.pdf](#) [DA-04-921A1.txt](#)

BEAUMONT UNIFIED SCHOOL DISTRICT, BEAUMONT, CA, ET AL. Extended Requests for Review. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 04/02/2004 by ORDER. (DA No. 04-920). WCB [DA-04-920A1.doc](#) [DA-04-920A1.pdf](#) [DA-04-920A1.txt](#)

POLICY AND RULES CONCERNING THE INTERSTATE, INTEREXCHANGE MARKETPLACE/IMPLEMENTATION OF SECTION 254(G) OF THE COMMUNICATIONS ACT OF 1934,

AS AMENDED. Denied the Application for Review. (Dkt No. 96-61). Action by: the Commission. Adopted: 03/31/2004 by MO&O. (FCC No. 04-83). WCB [FCC-04-83A1.doc](#) [FCC-04-83A1.pdf](#) [FCC-04-83A1.txt](#)

DEPLOYMENT OF WIRELINE SERVICES OFFERING ADVANCED TELECOMMUNICATIONS CAPABILITY AND IMPLEMENTATION OF THE LOCAL COMPETITION PROVISIONS OF THE TELECOMMUNICATIONS ACT OF 1996. Dismissed the Petition for Declaratory Ruling. Terminated Fifth Further Notice of Proposed Rulemaking in Implementation of the Local Competition Provisions of the Telecommunications Act of 1996. (Dkt No. 96-48 , 98-147). Action by: the Commission. Adopted: 03/31/2004 by ORDER. (FCC No. 04-85). WCB [FCC-04-85A1.doc](#) [FCC-04-85A1.pdf](#) [FCC-04-85A1.txt](#)

AMATEUR RADIO STATION LICENSE OF MR. WILLIAM D. WILLARD. Modified the Amateur Radio Station license of Mr. William B. Sorsby by changing the call sign from AC0AC to N5BU. Action by: Deputy Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau. Adopted: 04/02/2004 by ORDER. (DA No. 04-944). WTB [DA-04-944A1.doc](#) [DA-04-944A1.pdf](#) [DA-04-944A1.txt](#)

ADDENDA: THE FOLLOWING ITEMS, RELEASED APRIL 2, 2004, DID NOT APPEAR IN DIGEST NO. 64:

PUBLIC NOTICES

Released: 04/02/2004. AT&T WIRELESS SERVICES, INC. AND CINGULAR WIRELESS CORPORATION SEEK FCC CONSENT TO TRANSFER CONTROL OF LICENSES AND AUTHORIZATIONS. (DA No. 04-932). (Dkt No 04-70). WTB. Contact: Erin McGrath at (202) 418-2042 or Susan Singer at (202) 418-1340 [DA-04-932A1.doc](#) [DA-04-932A1.pdf](#) [DA-04-932A1.txt](#)

SPEECHES

REMARKS OF COMMISSIONER KATHLEEN Q. ABERNATHY ON, " TELECOMMUNICATIONS SECURITY: KEY ISSUES AFFECTING THE PUBLIC AND PRIVATE SECTORS " AT THE SEVENTH ANNUAL MIDWESTERN TELECOMMUNICATIONS CONFERENCE, APRIL 2, 2004. CMMR [DOC-245745A1.doc](#) [DOC-245745A1.pdf](#) [DOC-245745A1.txt](#)

TEXTS

APPLICATIONS TO ASSIGN WIRELESS LICENSES FROM WORLDCOM, INC. TO NEXTEL SPECTRUM ACQUISITION CORPORATION. Denied the Petitions to Deny. Granted the Assignment Applications from WorldCom, Inc. to Nextel Spectrum Acquisition Corporation. (Dkt No. 03-203). Action by: Chief, Wireless Telecommunications Bureau and Chief, Media Bureau. Adopted: 04/02/2004 by MO&O. (DA No. 04-945). WTB [DA-04-945A1.doc](#) [DA-04-945A1.pdf](#) [DA-04-945A1.txt](#)

APPLICATION OF RED HOT RADIO, INC. FOR REVIEW OF THE DISMISSAL OF THE PETITION FOR RECONSIDERATION OF THE "WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES REVISED ELECTION DATE AND AMENDED ELIGIBILITY LIST FOR 218-219 MHZ SERVICE," PUBLIC NOTICE. Denied the Application for Review. Affirmed the Auctions Division's prior dismissal of Red Hot

Radio's licenses. Action by: the Commission. Adopted: 03/31/2004 by MO&O. (FCC No. 04-82). WTB [FCC-04-82A1.doc](#) [FCC-04-82A1.pdf](#) [FCC-04-82A1.txt](#)